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Attorney Docket No. 9391-2

PATENT

OCT 05 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Helmut Heide et al.
Application No.: 10/085,526
Filed: February 26, 2002
For: **Resorbable Bone Replacement and Bone Formation Material**

Confirmation No.: 1405

Group Art Unit: 1755

Examiner: Karl E. Group

Date: October 5, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT UNDER (37 CFR 1.21)DATED SEPTEMBER 27, 2004

Sir:

In response to the outstanding Notice of Non-Compliant Amendment dated September 27, 2004, attached hereto is a revised copy of the Applicant's corrected section (Amendment to the Claims) dated September 2, 2004. Claims 1, 3, 6 and 7 were edited with strikethroughs or double brackets to show deleted words and/or punctuation marks. The remainder of the attached Amendment to the Claims section is identical to the prior submitted paper. Please note that these claim amendments were based on the claims presented in the Preliminary Amendment dated May 17, 2002.

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

Respectfully Submitted,


Julie H. Richardson
Registration No. 40,142

Customer No. 20792
Myers Bigel Sibley & Sajovec
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401